

1DATA.12



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : (1) Cheryl Phillips)
 (2) David Smith)
))
App. No. : 10/695,399))
))
Filed : October 27, 2003))
))
For : SYSTEMS AND METHODS FOR MANAGING))
 THROUGHPUT OF POINT OF SALE DEVICES))
))
Examiner : Not Yet Known))

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION
AND
REVOCATION AND POWER OF ATTORNEY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

App. No. : 10/695,399
Filed : October 27, 2003

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, Fourteenth Floor, Irvine, California 92614, Telephone (949) 760-0404, **Customer No. 20,995**, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

FIRST DATA CORPORATION

Dated: 3/24/04 By 
Ken Algiene
Title: Assistant Secretary
Address: 12500 East Belford Avenue, Suite M21A2
Englewood, CO 80112-5939

R:\DOCSUWCJWC-2189.DOC : ac
021204

COPY

PATENT

Application No.: 10/695,399
Filing Date: October 27, 2003

DO NOT RECORD -

Client Code: 1DATA.121A
Page 1 of 2

ASSIGNMENT

WHEREAS, We,

- (1) Cheryl Phillips, a citizen of the United States of America, residing at 11637 E. Via Salida; Yuma, AZ 85367;
and
(2) David Smith, a citizen of the United States of America, residing at 4730 Rainbow Run; Sugar Land, TX 77479;

have invented certain new and useful improvements in SYSTEMS AND METHODS FOR MANAGING THROUGHPUT OF POINT OF SALE DEVICES for which we have filed an application for Letters Patent in the United States on October 27, 2003 as Application No. 10/695,399;

AND WHEREAS, FIRST DATA CORPORATION (hereinafter "ASSIGNEE"), a Delaware Corporation, with its principal place of business at 12500 East Belford Avenue, Suite M21A2; Englewood, CO 80112-5939, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, for other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

COPY

- DO NOT RECORD -

PATENT

Application No.: 10/695,399
Filing Date: October 27, 2003

Client Code: 1DATA.121A
Page 2 of 2

COPY
- DO NOT RECORD -

(1) IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 19⁽¹⁴⁾ day of February,
20_04

Cheryl Phillips

Cheryl Phillips

COPY
- DO NOT RECORD -

(2) IN TESTIMONY WHEREOF, I hereunto set my hand and seal this _____ day of _____,
20_____.

David Smith

COPY
- DO NOT RECORD -

Application No.: 10/695,399
Filing Date: October 27, 2003

PATENT

Client Code: 1DATA.121A
Page 1 of 2

COPY
- DO NOT RECORD -

ASSIGNMENT

WHEREAS, We,

(1) Cheryl Phillips, a citizen of the United States of America, residing at 11637 E. Via Salida; Yuma, AZ 85367;
and
(2) David Smith, a citizen of the United States of America, residing at 4730 Rainbow Run; Sugar Land, TX 77479;
have invented certain new and useful improvements in SYSTEMS AND METHODS FOR MANAGING THROUGHPUT OF POINT OF SALE DEVICES for which we have filed an application for Letters Patent in the United States on October 27, 2003 as Application No. 10/695,399;

AND WHEREAS, FIRST DATA CORPORATION (hereinafter "ASSIGNEE"), a Delaware Corporation, with its principal place of business at 12500 East Belford Avenue, Suite M21A2; Englewood, CO 80112-5939, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, for other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof, and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

COPY
- DO NOT RECORD -

Application No.: 10/695,399
Filing Date: October 27, 2003

Client Code: 1DATA.121A
Page 2 of 2

COPY
- DO NOT RECORD -

(1) IN TESTIMONY WHEREOF, I hereunto set my hand and seal this _____ day of _____,
20_____.

COPY
- DO NOT RECORD -

Cheryl Phillips

(2) IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 18th day of February,
2004.

David W. Smith

David Smith

COPY
- DO NOT RECORD -